IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

WP(C).No. 21606 of 2007(V)

PETITIONER:

S.DINESH, S/O. D.SASIDHARAN,
CHARUVILA KODIYIL VEEDU, THRIKKOVILVATTOM,
MUKATHALA P.O., KOLLAM.

BY ADV. SRI.M.V.THAMBAN

RESPONDENTS:

1. THE DISTRICT CO-OPERATIVE BANK,
KANNANALLOOR, KOLLAM REPRESENTED BY ITS SECRETARY.

2. THE HEADMASTER, MGT HIGH SCHOOL,
MUKATHALA P.O., KOLLAM.

3. THE DISTRICT EDUCATIONAL OFFICER,
KOLLAM.

4. THE PERSONAL ASSISTANT TO THE DEO,
OFFICE OF THE DISTRICT EDUCATIONAL OFFICER,
KOLLAM.

5. THE DEPUTY DIRECTOR (EDUCATION),
KOLLAM.

6. D.SUJATHA KUMARI, W/O.S.RAJASEKHARAN
NAIR, CHARUVILA PUTHEN VEEDU, CHERIYELA,
ALUMMOODU P.O., KOLLAM.

7. S.RAJASEKHARAN NAIR, FULL TIME MANNIEL,
MGT HIGH SCHOOL, MUKATHALA, MUKATHALA P.O., KOLLAM

8. THE SALES OFFICER, DISTRICT
CO-OPERATIVE BANK, KANNANALLOOR P.O., KOLLAM .

R1 BY ADV.SRI.B.VINOD KUMAR.
R3 TO R5 & R8 BY SR.GOVT.PLEADER SMT.ANU SIVARAMAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.21606 of 2007-V

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Dated this the 6th day of December, 2007.

JUDGMENT

1. The petitioner was one of the sureties to a loan transaction. The sixth respondent is the principal debtor. The seventh respondent, her husband, is also a surety. The learned counsel for the Bank submits that action has been taken for recovery from the petitioner and also from respondents 6 and 7. Under such circumstances, I do not find any jurisdictional error or legal infirmity in the impugned action. I also do not find any ground to interfere with the request for deduction from salary at the rate of Rs.1,500/- per month. The writ petition is hence dismissed, however requiring the first respondent to ensure that prompt action is enforced against respondents 6 and 7 also for recovery,

particularly when the seventh respondent, the surety, is the husband of the sixth respondent, the principal debtor.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

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